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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg, et al.
Divisional of Serial No: 08/960,774
Filed: October 30, 1997
For: METHODS OF TREATING ALLERGIC AND ASTHMATIC
DISORDERS USING IMMUNOSTIMULATORY
OLIGONUCLEOTIDES

#5
10/2/99

Box: Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Please amend the Application as follows:

Please cancel claims 2-41.

Please add the following new claims:

42. A method for treating asthma in a subject, comprising administering to an asthmatic subject an effective amount for treating asthma in a subject of an immunostimulatory nucleic acid, having a sequence including at least the following formula:



wherein C and G are unmethylated, wherein $X_1 X_2$ and $X_3 X_4$ are nucleotides, wherein at least one nucleotide has a phosphate backbone modification.

43. The method of claim 42, wherein the $5' X_1 X_2 CGX_3 X_4 3'$ sequence is a non-palindromic sequence.

44. The method of claim 42, wherein the nucleic acid has 8 to 100 nucleotides.

45. The method of claim 42, wherein the nucleic acid backbone includes the phosphate backbone modification on the 5' side of the nucleic acid.

46. The method of claim 42, wherein the nucleic acid backbone includes the